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PTO/SB/97 (05-03)

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Request for Certificate of Correction - [2 pages]

PTO Form 1050 - [1 page]

Examiner's Amendment - July 7, 2006 Excerpt - [1 page]

Applicants' Amendment - March 23, 2006 Excerpt - [7 pages]

This collection of information is required by 37 CFR 1.8. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 1.8 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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PATENTS

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE US PATENT NO.: 7,100,315	:	SERIAL NO.: 10/714,884
CHRISTOPHER M. CARPENTER et al.	:	FILED: July 6, 2001
ISSUED DATE: SEPTEMBER 5, 2006	:	ATTORNEY DOCKET NO.: 319-CONT
FOR: POINT AND ADAPTER ASSEMBLY	:	

REQUEST FOR CERTIFICATE OF CORRECTION

Commissioner for Patents
Office of Patent Publication
ATTN: Certificate of Correction Branch
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Pursuant to 35 U.S.C. §§ 254 and 255 and 37 C.F.R. §§ 1.322 and 1.323, this is a request to issue a Certificate of Correction for the above-identified patent. A copy of PTO Form 1050 is attached. The complete Certificate of Correction involves one page.

The mistakes identified in the appended Form which occurred in Column 11, lines 46, 49 and 52; Column 12, lines 5 and 49; Column 13, lines 6, 29 and 36; and in Column 14, lines 16 and 40, occurred through no fault of the Applicants, as clearly disclosed by the records of the application, which matured into this patent. Enclosed for your convenience are the relevant portions of the Examiner's Amendment dated July 7, 2006, and the Applicants' Amendment submitted March 23, 2006. The mistakes which occurred in Column 9, line 64; Column 10, line 50; Column 11, line 66; Column 13, line 21; and in Column 14, lines 5 and 25 were the responsibility of the Applicants.

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Issuance of the Certificate of Correction containing the corrections is respectfully requested. Since multiple changes were the fault of the Applicants, the Patent and Trademark Office is authorized to change the associated fee to our Deposit Account No. 50-3585.

Respectfully submitted,

Dated: October 16, 2008

By: Steven P. Schad
Steven P. Schad
Registration No. 32,550

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FAX - 503-499-6082
Patent Application

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PTO/SB/44 (08-07)

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(Also Form PTO-1050)

**UNITED STATES PATENT AND TRADEMARK OFFICE
CERTIFICATE OF CORRECTION**

Page 1 of 1

PATENT NO. : 7,100,315

APPLICATION NO.: 10/714,884

ISSUE DATE : September 5, 2006

INVENTOR(S) : Christopher M. Carpenter et al.

It is certified that an error appears or errors appear in the above-identified patent and that said Letters Patent is hereby corrected as shown below:

In Column 9, Line 64, "reversible" should be changed to --reversibly--.

In Column 10, Line 50, --and-- should be added to "lugs".

In Column 11, Line 46, cancel the text "the adapter and wear member having a nose and the having a socket for receiving the nose," ending on line 47, and replace it with --the adapter having a nose and the wear member having a socket for receiving the nose,--; Line 49, cancel the text "one of the socket or nose" ending on line 50 and replace it with --the nose--; Line 52, add --one of-- before "the converging walls" and add --socket-- before "including"; Line 66, "wall" should be changed to --walls--.

In Column 12, Line 5, "engages" should be changed to --engage--; Line 49, "lock" should be changed to --lock--.

In Column 13, Line 6, --faces-- should be added after "surface"; Line 21, delete word "and"; Line 29, cancel the text "a pair of the a pair grooves," ending on line 30, and replace it with --a pair of the grooves--.

In Column 14, Line 5, "in which" should be changed to --which--; Line 16, "end" should be changed to --and--; Line 25, "one the" should be changed to --one of the--; Line 40, "lack" should be changed to --lock--.

MAILING ADDRESS OF SENDER (Please do not use customer number below):

Steven P. Schad
2141 NW 25th Avenue
Portland, Oregon 97210-2578

This collection of information is required by 37 CFR 1.322, 1.323, and 1.324. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 1.0 hour to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Attention Certificate of Corrections Branch, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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Application/Control Number: 10/714,884
Art Unit: 3671

Page 2

The previous Examiner's Amendment, dated 15 May 2006, referenced incorrect line numbers. This Examiner's Amendment replaces the 5/15/06 Examiner's Amendment.

EXAMINER'S AMENDMENT

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Steven Schad on 1 May 2006.

The application has been amended as follows:

Claim 129, line 3, "one of" has been deleted;

Claim 129, line 3, "and wear member" has been deleted;

Claim 129, line 4, "other of the adapter and" has been deleted;

Claim 129, line 5, "nose and the socket" has been changed to —nose and the wear member—;

Claim 129, line 6, "one of" has been deleted;

Claim 129, line 6, "socket or" has been deleted;

Claim 129, line 8, "other of said" has been deleted;

Claim 129, line 8, "or nose" has been deleted;

Claim 144, line 2, "or socket" has been deleted;

Claim 131 has been cancelled.

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In the Claims:

Claims 1-128 (Canceled).

129. (Currently Amended) A wear assembly for an excavator having a digging edge, the wear assembly comprising an adapter fixed to the excavator, a wear member, and a lock to secure the wear member to the adapter, one of the adapter and wear member having a nose and the other of the adapter and wear member having a socket for receiving the nose, the nose and the socket each having converging walls converging toward a front end, and opposite sidewalls, one of the socket or nose including at least one rail extending from a sidewall thereof and oriented at the same general inclination as one of the converging walls, and the other of said socket or nose including at least one groove into which the rail is received, wherein the socket is defined by opposed converging surfaces each extending at an inclination to the longitudinal axis of the socket and by side surfaces wherein at least one said side surface includes a lateral surface between the converging surfaces as a part of the at least one groove to engage the rail, and wherein each said lateral surface faces toward one of the converging surfaces and extends generally in the same inclined direction relative to the longitudinal axis as the converging surface the lateral surface faces.

130. (Previously Presented) A wear assembly in accordance with claim 129 further including one said rail on each said sidewall of the nose, a first one of the rails being oriented in the same general inclination as one of the converging wall, and a second one of the rails being oriented in the same general inclination as the other of the converging walls, and the socket including one said groove for receiving each said rail.

131. (Previously Presented) A wear assembly in accordance with claim 129 in which the adapter includes the nose, and the wear member includes the socket.

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132. (Canceled).

133. (Currently Amended) A wear assembly in accordance with claim 132 129 in which at least one of the side surfaces includes a flank bearing surface to engage a complementary flank of the nose, and the flank bearing surface and that faces toward a different one of the converging surfaces than the lateral surface of the same side surface face towards different converging surfaces to engage a complementary flank of the nose.

134. (Previously Presented) A wear assembly in accordance with claim 133 in which each flank bearing surface widens as it extends toward the open end of the socket.

135. (Currently Amended) A wear assembly in accordance with claim 132 129 in which each lateral surface is uniformly spaced from the converging surface that it faces along its length.

136. (Previously Presented) A wear assembly in accordance with claim 135 wherein each lateral surface is at an acute angle in a transverse direction to the converging surface it faces.

137. (Previously Presented) A wear assembly in accordance with claim 129 in which the socket is defined by opposed converging surfaces each extending at an inclination to the longitudinal axis of the socket and by side surfaces, wherein a distal end of the socket includes opposed flats extending between the side surfaces to engage complementary flats on the nose, and wherein each of the flats extends generally parallel to the longitudinal axis of the socket.

138. (Canceled).

139. (Currently Amended) A wear assembly in accordance with claim 129 wherein the wear member includes the socket, a narrow front end for engaging earthen material, USPTO
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and a pair of the grooves in the socket that diverge from opposite sides of a plane aligned with the longitudinal axis of the socket and extending along the narrowed front end.

140. (Previously Presented) A wear assembly in accordance with claim 139 wherein the grooves are generally aligned with each other along the plane at the distal end of the socket.

141. (Previously Presented) A wear assembly in accordance with claim 129 in which each of the grooves has a substantially constant width and depth along its length.

142. (Previously Presented) A wear assembly in accordance with claim 129 wherein each said rail and each said groove is linear.

143. (Previously Presented) A wear assembly in accordance with claim 142 wherein the grooves and rails are configured to require the wear member to rotate generally about its longitudinal axis when installed and removed from the nose.

144. (Previously Presented) A wear assembly in accordance with claim 129 wherein only one rail is formed on each sidewall of the nose or socket.

145. (Previously Presented) A wear assembly in accordance with claim 129 in which the socket has a generally Z-shaped cross-sectional configuration over at least a portion of its length.

146. (Previously Presented) A wear assembly in accordance with claim 129 in which the nose includes a channel for receiving the lock, wherein the channel and the lock each gradually narrows along its length.

147. (Previously Presented) A wear assembly in accordance with claim 146 in which the channel has a closed end and extends only partially across the nose.

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148. (Previously Presented) A wear assembly in accordance with claim 129 in which the wear member is a point with a front digging edge.

149. (Currently Amended) A wear member for an excavator having a lip with a digging edge and a nose fixed to the lip projecting forward from the edge to a front end, the wear member comprising converging walls converging to form a narrow front end, sidewalls, and a socket defined by converging surfaces of the converging walls and side surfaces of the sidewalls, the converging surfaces converging toward the front end, the socket including at least one groove along one of the side surfaces for receiving a rail formed on the nose, and the groove being oriented in the same general inclination as one of the converging surfaces, wherein at least one said side surface includes a lateral surface between the converging surfaces to form part of the at least one groove to engage the corresponding rail, wherein each said lateral surface extends generally in the same inclined direction relative to the longitudinal axis of the socket as the converging surface that the lateral surface faces.

150. (Previously Presented) A wear member in accordance with claim 149 further including one said groove in each of the side surfaces to receive rails on the nose, a first of the grooves being oriented in the same general inclination as one of the converging surfaces and a second of the grooves being oriented in the same general inclination as the other of the converging surfaces.

151. (Canceled).

152. (Currently Amended) A wear member in accordance with claim 151 150 in which at least one each said side surface includes a flank bearing surface to engage a complementary flank of the nose, and the flank bearing surface and that faces toward a

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~~different one of the converging surfaces than the lateral surface of the same side face toward different converging surfaces.~~

153. (Previously Presented) A wear member in accordance with claim 152 in which each flank bearing surface widens as it extends rearward toward the open end and of the socket.

154. (Currently Amended) A wear member in accordance with claim ~~151~~ 149 in which each lateral surface is uniformly spaced from the converging surface that it faces.

155. (Currently Amended) A wear member in accordance with claim ~~151~~ 149 wherein each lateral surface is at an acute angle in a transverse direction to the converging surface it faces.

156. (Currently Amended) A wear member in accordance with claim 149 in which the wear member has a narrow front end and a pair of the grooves within the socket, each including one said lateral surface, wherein the lateral surfaces diverge from opposite sides of a plane aligned with the longitudinal axis of the socket and extending along the front end.

157. (Currently Amended) A wear member in accordance with claim ~~149~~ 156 wherein one of the converging surfaces forms a part of a first of the grooves, and wherein the other of the converging surfaces forms a part of a second of the grooves.

158. (Previously Presented) A wear member in accordance with claim 149 in which a front end of the socket includes opposed flats extending between the sidewalls, wherein each of the flats extends generally parallel to the longitudinal axis of the socket.

159. (Previously Presented) A wear member in accordance with claim 149 in which the socket has a generally Z-shaped cross-sectional configuration over at least a portion of its length.

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160. (Previously Presented) A wear member in accordance with claim 149 wherein the socket has only one groove on each of the side surfaces for receiving the rails.

161. (Previously Presented) A wear member in accordance with claim 149 wherein the grooves are linear.

162. (Previously Presented) A wear member in accordance with claim 161 wherein the groove and rails are configured so as to require the wear member to rotate generally about its longitudinal axis when installed and removed from the nose.

163. (Previously Presented) A wear member in accordance with claim 149 in which is a point with a front digging edge.

164. (Previously Presented) A method for attaching a wear member to an excavator comprising:

providing a nose fixed to the excavator and projecting forward from the digging edge to a front end, the nose having first and second walls converging toward the front end, and a pair of opposite sides interconnecting the first and second walls, each said side including a rail, a first one of the rails being oriented in the same general inclination as the first wall, and a second one of the rails being oriented in the same general inclination as the second wall, and each of the rails including an outer side face;

providing a wear member including a socket having opposite converging surfaces and opposite side surfaces;

placing the wear member over the nose such that the nose is received into the socket so that (i) the converging surfaces each engage one the first and second walls of the nose, (ii) the side surfaces each engage the outer side face of one of the rails, and (iii) the nose and wear member collectively define an opening; and

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inserting a lock into the opening to secure the wear member to the nose.

165. (Previously Presented) A method in accordance with claim 164 wherein each said rail on the provided nose includes a transverse face generally parallel to one of the converging walls, and wherein the wear member is placed on the nose so that each said side surface also engages the transverse face of one of the rails.

166. (Previously Presented) A method in accordance with claim 165 wherein the opening has an open end through which the lock is inserted, the opening narrows in an extension away from the open end, and a tapered lock is pried into the opening with a leverage tool.

167. (Previously Presented) A method in accordance with claim 164 wherein the opening has an open end through which the lock is inserted, the opening narrows in an extension away from the open end, and a tapered lock is pried into the opening with a leverage tool.

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